

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

JAMES HAYDEN, ) Case No. 1:17-cv-02635  
 )  
 Plaintiff, ) Judge Christopher A. Boyko  
 )  
 vs. )  
 ) EX. D TO TRIAL BRIEF—  
 2K GAMES, INC. and TAKE-TWO ) PLAINTIFF'S PROPOSED SPECIAL  
 INTERACTIVE SOFTWARE, INC., ) INTERROGATORIES AND VERDICT  
 ) FORMS  
 Defendants. )

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

JAMES HAYDEN,	)	Case No. 1:17-cv-02635
	)	
Plaintiff,	)	Judge Christopher A. Boyko
	)	
vs.	)	
	)	<b><u>INTERROGATORY NO. 1</u></b>
2K GAMES, INC. and TAKE-TWO	)	
INTERACTIVE SOFTWARE, INC.,	)	
	)	
Defendants.	)	

1. DO YOU FIND BY A PREPONDERANCE OF THE EVIDENCE THAT DEFENDANTS 2K GAMES, INC. AND TAKE-TWO INTERACTIVE SOFTWARE, INC. INFRINGED ANY OF PLAINTIFF JAMES HAYDEN'S ASSERTED COPYRIGHTS?

**Yes**  
(for Plaintiff)

**No**  
(for Defendants)

\_\_\_\_\_

*If you answered "NO," proceed to General Verdict Form No. 2.*

*Otherwise, proceed to Interrogatory No. 2.*

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

JAMES HAYDEN,	)	Case No. 1:17-cv-02635
	)	
Plaintiff,	)	Judge Christopher A. Boyko
	)	
vs.	)	
	)	<b><u>INTERROGATORY NO. 2</u></b>
2K GAMES, INC. and TAKE-TWO	)	
INTERACTIVE SOFTWARE, INC.,	)	
	)	
Defendants.	)	

WHAT HAS PLAINTIFF SHOWN, BY A PREPONDERANCE OF THE EVIDENCE, THAT DEFENDANTS' GROSS REVENUE FOR SALES AND DISTRIBUTION OF THE INFRINGING GAMES IS?

GROSS REVENUE FROM INFRINGING GAMES = \$\_\_\_\_\_.

*Proceed to Interrogatory No. 3.*

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

JAMES HAYDEN,	)	Case No. 1:17-cv-02635
	)	
Plaintiff,	)	Judge Christopher A. Boyko
	)	
vs.	)	
	)	<b><u>INTERROGATORY NO. 3</u></b>
2K GAMES, INC. and TAKE-TWO	)	
INTERACTIVE SOFTWARE, INC.,	)	
	)	
Defendants.	)	

WHAT HAVE DEFENDANTS SHOWN BY A PREPONDERANCE OF THE EVIDENCE  
THAT DEDUCTIBLE EXPENSES AND ELEMENTS OF PROFIT ATTRIBUTABLE TO  
FACTORS OTHER THAN THE COPYRIGHTED WORK, IF ANY, ARE?

DEDUCTIBLE EXPENSES AND DEFENDANTS' PROFIT ATTRIBUTABLE TO OTHER  
FACTORS = \$\_\_\_\_\_.

*Proceed to Interrogatory No. 4.*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

JAMES HAYDEN, ) Case No. 1:17-cv-02635  
                  )  
Plaintiff,      ) Judge Christopher A. Boyko  
                  )  
vs.                )  
                  )  
2K GAMES, INC. and TAKE-TWO      )  
INTERACTIVE SOFTWARE, INC.,        )  
                  )  
Defendants.      )

**INTERROGATORY NO. 4**

WHAT HAS PLAINTIFF SHOWN, BY A PREPONDERANCE OF THE EVIDENCE, THAT  
PLAINTIFF'S ACTUAL DAMAGES ARE?

PLAINTIFF'S ACTUAL DAMAGES = \$\_\_\_\_\_.

*Proceed to Interrogatory No. 5.*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

JAMES HAYDEN, ) Case No. 1:17-cv-02635  
                  )  
Plaintiff,      ) Judge Christopher A. Boyko  
                  )  
vs.                )  
                  )  
2K GAMES, INC. and TAKE-TWO      ) **PLAINTIFF'S PROPOSED JURY**  
INTERACTIVE SOFTWARE, INC.,        ) **INTERROGATORY NO. 5**  
                  )  
Defendants.      )

DO YOU FIND THAT DEFENDANTS WILLFULLY INFRINGED PLAINTIFF'S  
COPYRIGHTS?

                

Yes

                

No

*Proceed to, complete and sign General Verdict Form No. 1 (finding for Plaintiff, James Hayden).*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

JAMES HAYDEN, ) Case No. 1:17-cv-02635  
vs. Plaintiff, )  
vs. ) Judge Christopher A. Boyko  
2K GAMES, INC. and TAKE-TWO )  
INTERACTIVE SOFTWARE, INC., )  
Defendants. ) **GENERAL JURY VERDICT FORM NO.**  
                                  ) **1**

We the jury, having first been duly impaneled, do hereby find in favor of Plaintiff, James Hayden and against Defendants 2K Games, Inc. and Take-Two Interactive Software, Inc. in the amount of: \$ \_\_\_\_\_

Each juror should place his or her signature on the lines below to attest that the foregoing accurately reflects the jury's decision.

1. *Foreperson*

7.

2.

8.

3.

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

JAMES HAYDEN, ) Case No. 1:17-cv-02635  
vs. Plaintiff, )  
vs. ) Judge Christopher A. Boyko  
2K GAMES, INC. and TAKE-TWO )  
INTERACTIVE SOFTWARE, INC., )  
Defendants. ) **GENERAL JURY VERDICT FORM NO.**  
                                  **2**

We the jury, having first been duly impaneled, do hereby find in favor of Defendants, 2K Games, Inc. and Take-Two Interactive Software, Inc. and against Plaintiff, James Hayden.

Each juror should place his or her signature on the lines below to attest that the foregoing accurately reflects the jury's decision.

1. *Foreperson*

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